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South Carolina House of Representatives

Legislative Update

David H. Wilkins, Speaker of the House

Vol. 13

March 26, 1996

No. 11

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WEEK IN REVIEW

HOUSE

continued

H. 3029 provided that a minimum percentage of revenue collected from local option sales taxes (LOST) must be used for property tax relief. Current law requires that seventy-one per cent of LOST revenue be used to offset property taxes. The proposed legislation would have increased that to one hundred per cent during the first year. After that, local governments could reduce that figure by ten per cent each year, not to exceed fifteen per cent in a two year period, with a floor of seventy-one per cent. These provisions would have eliminated the "Robin Hood" provision in current law where richer counties share their LOST revenue with poorer counties. Under the proposed legislation, these larger counties would be allowed to keep all of the LOST taxes they collect. Of the nineteen counties which already have enacted LOST, four are donor counties.

H. 3194 would have revised the absentee ballot form and provided that anyone could vote by mail. The measure would have eliminated the requirement that a preapproved reason be given in order to vote by absentee ballot. It also would have required voter registration offices to open on the last two Saturdays before elections for absentee voting.

concurrence in Senate amendments, to be ratified

H. 3271 increases the penalties for intimidating court officials, jurors, or witnesses. Currently violators may be fined from five hundred (\$500) to two thousand dollars (\$2,000), and/or imprisoned for up to five years. As the bill stands now, a fine of up to ten thousand dollars (\$10,000) and a sentence of up to ten years could be imposed. Violators would be subject to both.

nonconcurrence in Senate amendments, to conference

H. 3300 requires public notification of sex offenders living in the community. Currently these offenders are required to register with law enforcement officials, however the list is not open to the public. A Senate amendment would not require notification in cases of consensual sex with a minor.

received 3rd reading, to be ratified

S. 627 approves State Board of Education regulations which strengthens construction requirements for relocatable classrooms. Currently the regulations reflect 1966 building standards. **S. 996** revises the definition of "vacant land" as related to tax increment financing for redevelopment projects. The bill removes the requirement that the property must not have been used for commercial or agricultural purposes within five years prior to the designation of the redevelopment project area.

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received 3rd reading, amended, returned to the Senate for concurrence

S. 421 provides that a referendum to create a community recreation special tax district may be held during either a special election set by county council or during a general election. A House amendment stipulates that only contiguous areas may be annexed. That amendment also requires that a petition signed by at least fifteen per cent of qualified electors living in the area proposed to be annexed must be submitted before the area may be annexed. Another amendment authorizes districts to pledge collateral for projects, and to borrow money by means other than bonds. **S. 507** revises requirements to open a private detective business in the state. A House amendment authorizes a retired commissioned law enforcement officer employed as a private detective or private investigator to carry a weapon. **S. 598** authorizes the State Board of Dentistry, in certain disciplinary cases, to require mental or physical examinations. A licensee, registrant, or applicant who refuses to comply shall have his license suspended or denied.

received 3rd reading, sent to the Senate

H. 3883 requires that a newly purchased vehicle display a placard containing certain information during the grace period before the registration and license plate are received. Information to be included on the placard is the owner's name and driver's license number, purchase date, and the date the grace period expires. Violators would be subject to a twenty-five dollar (\$25) fine. Those displaying false information would be fined up to two hundred dollars (\$200). Three-fourths of that fine would be remitted to the State Reinsurance Facility. **H. 4020** authorizes an increase in the amount of bonds Clemson University may issue for student and faculty housing facilities from \$40 to \$45 million dollars. The bill also extends the capitalized interest period from one to two years. **H. 4313** authorizes the Citadel to increase the principal on outstanding revenue bonds for housing and auxiliary facilities from \$25 to \$35 million dollars. **H. 4382**, concerning a required statement regarding orders for protection from domestic abuse, makes a technical change to reflect the fine increase from two hundred (\$200) to five hundred dollars (\$500). **H. 4387**, also called "The Worker Reference Bill," provides employers with immunity when providing work references for former employees. An absolute immunity would be granted for providing objective information such as hiring date and salary. Qualified immunity would be granted for providing subjective information such as work ethic and habits. In order to bring suit, a person would have to prove that the employer knowingly provided false or reckless disclosures. The Senate version of this bill, **S. 1041**, received second reading in that chamber last week also. **H. 4542** includes municipal, county, and regional housing authorities as claimant agencies as related to the Setoff Debt Collection Act. **H. 4548** authorizes the University of South Carolina (USC) to issue revenue bonds to acquire, build, renovate, and equip athletic facilities. The bill deletes the requirement that the State Budget and Control Board first approve the issuance. It also extends the tax exemption status of such bonds, and deletes the requirement that all of USC's home games be played at Williams-Bryce Stadium. **H. 4550** authorizes USC to issue revenue bonds in order to finance or refinance acquisition, construction, renovation, and improvement to land, buildings, and other improvements to real property and equipment. **H. 4553** extends "grandfather" provisions allowed cropland to timberland as long as the current owner or an immediate family member has owned the property since at least January 1, 1984. Also, the property must have been classified as agricultural real property for property tax year 1994. **H. 4585** addresses payment for experimental drugs by health insurance companies. The bill provides

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that no insurance policy which includes coverage for drugs may deny payment for drugs used to treat cancer, even if those drugs have not been approved by the Federal Food and Drug Administration for that specific type of cancer, when the drug is recognized for such treatment in one of the standard reference compendia or in medical literature. H. 4660 extends the current tax exemption on insurance premiums to include workers' compensation premiums provided by companies which insure only churches. H. 4750 approves Department of Health and Human Services (DHHS) regulations relating to medical institution vendor payments. The bill allows DHHS to designate another entity to conduct medically necessary evaluations for institutional long-term care services. The joint resolution also recognizes the State Level of Care Criteria for Long-Term Care which applies to a person seeking nursing facility services, and the State Level of Care Criteria for Intermediate Care Facility/Mentally Retarded which applies to a person seeking these services. H. 4751 approves another DHHS regulation relating to prerecoupment Medicaid hearings. The joint resolution makes technical name and citation changes, and provides that hearing requirements apply only to post-payment reviews of Medicaid providers which are conducted by DHHS's Bureau of Medicaid Program Assessment. H. 4752 approves Department of Social Services (DSS) regulations relating to supervised independent living. The regulation will set basic licensing standards for residential facilities, group care, and child placing agencies to provide these programs. Also, the revisions establish minimum guidelines for two levels of services to youths aged sixteen to twenty-one.

H. 4755 provides the State Insurance Department with greater control over the assigned risk plan for workers' compensation insurance. The bill requires the Director to give prior approval to the assigned risk, and provides for competitive bidding of the assigned risk pool. H. 4780 approves a State Crop Pest Commission regulation which designates the tropical soda apple as a noxious weed which should be eradicated in the state.

recalled from committee

H. 3021 authorizes a voter referendum to determine whether the state should conduct a lottery. The joint resolution provides that no more than fifteen per cent of proceeds be spent on operational expenses, and that fifty per cent be expended in prizes. The remaining revenue would be used for nonrecurring expenses for public education, health care, water and sewer infrastructure, other capital improvements, or for the reduction of bonded indebtedness as prescribed by the General Assembly. The bill requires a two-thirds vote of the General Assembly to pass.

committed to committee

H. 4763 was committed to the Agriculture, Natural Resources, and Environmental Affairs Committee. The bill legalizes the selling of ferrets in the state.

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SENATE

received 3rd reading; to be ratified

H. 4329 directs the Joint Legislative Committee on Aging in conjunction with the Center of Health Policy at the University of South Carolina's Institute of Public Affairs to evaluate and study options for consumer financing of long-term care. A report would be developed and presented to the General Assembly before January 1, 1997. **H. 4493** provides that annual limits on the burning of infectious waste apply equally to all incinerators, even those at hospital and nonprofit facilities which currently are exempted from these limits. **H. 4524** revokes an obsolete Department of Health and Environmental Control (DHEC) regulation concerning retail food stores. Due to federal guideline changes, permitting and inspection of convenience stores which sell only prepackaged foods are no longer required.

received 3rd reading; concurred with House amendments; to be ratified

S. 598 authorizes the State Board of Dentistry, in certain disciplinary cases, to require mental or physical examinations. A licensee, registrant, or applicant who refuses to comply shall have his license automatically suspended or denied.

received 3rd reading; amended; returned to the House for concurrence

H. 4361 directs the Alzheimer's Disease and Related Disorders Resource Coordination Center to develop a grant program which assists with problems relative to this disease. In awarding grants, consideration must be given to recommendations regarding priority needs and criteria for selecting grant recipients resulting from this study. The bill also requires that a grant recipient provide matching funds or in-kind contributions.

received 3rd reading; sent to the House

S. 21 eliminates the criminal offense prohibiting all tattooing in the state. However, under provisions of the bill, tattooing a person under eighteen years old or placing tattoos on the head, face, or neck would remain illegal. The measure also establishes requirements and procedures for registration of tattoo artists and tattoo parlors in the state. **S. 68** provides immunity from liability for a technical expert who provides a local government with advice and assistance during a hazardous materials emergency. **S. 409** provides immunity from liability for businesses and professionals sponsoring kayaking or canoeing activities due to the inherent risk of the sport. Lawsuits could be brought only in cases of negligence. **S. 1117** is the Senate version of "The Public School Facilities Assistance Act." The bill distributes \$70 million dollars of school construction revenue collected from the disposal of low level radioactive waste in the state. Senators adopted a distribution formula which is based fifty per cent on a school district's need for construction, twenty-five per cent on effort to meet this need for themselves over the prior five years, and twenty-five per cent on a district's wealth as reflected in the Education Finance Act (EFA) funding formula. An unsuccessful attempt was made to conform the Senate-sponsored

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formula to the one which the House endorsed. The House-sponsored formula is based sixty per cent on the number of students in a district and forty per cent on the district's wealth as reflected in the EFA formula. **S. 1140** authorizes a joint agency to contract with another joint agency for collection, transfer, and/or disposal of solid waste. The measure also requires that governing bodies contract for these services with the joint agency. **S. 1285**, a hunting provision affecting only game zone nine, prohibits the trapping of gray foxes through use of number two or smaller rubber padded foot-hold traps.

concurrent resolution adopted; sent to House

S. 1185 memorializes Congress to amend the Federal Food, Drug, and Cosmetic Act and the Public Health Service Act to facilitate development and approval of new drugs, biological products, and medical devices.

received 2nd reading

S. 921 provides that all regulations requiring review by the General Assembly shall expire five years after their effective date unless subsequently approved for additional five year periods. **S. 956** revises requirements concerning how revenue from a special retail beer and wine permit for off-premises consumption is spent. Usually the fees are credited to the General Fund. However, currently in areas where over three thousand military jobs have been lost, the money is designated to a special Budget and Control Board (B&C) account for the support of an area redevelopment authority. This bill provides that revenue may be earmarked for that special B&C account when an area loses seven hundred fifty jobs, rather than three thousand. **S. 981** authorizes a study of the impact of immigration on health care costs, other aging network services, and tax policies in this state. The report and recommendations would be submitted to the General Assembly by January 1, 1997. **S. 1041**, also called "The Worker Reference Bill," grants employers immunity when providing work references for former employees. Absolute immunity would be granted for such objective information as hiring date and wage. Qualified immunity would be granted for subjective information such as work ethic and habits. Lawsuits could only be brought when knowingly false or reckless disclosures were made. The House version of this bill, **H. 4387**, received third reading in that chamber last week and has been sent to the Senate for consideration. **S. 1054** provides that the Public Service Commission's approval of joint agency projects concerning transmission, distribution, or transformation electric power and energy is not necessary. However, in these cases, prior approval by the joint agency's governing body would be required. **S. 1160** makes numerous revisions concerning election practices. It revises absentee ballots and requirements, and provides that challenged votes are provisional. The Bureau of Vital Statistics would be required to furnish the State Election Commission with a monthly report of persons eighteen years old or older who died during the previous month. Currently the Bureau reports only those twenty-one years old or older who died. The bill also deletes the requirement that voter registration books be kept in the clerk of court's office, and decreases the number of registration books which must be provided each polling precinct by the county voter registration board from two to one. A provision included in the bill provides that only the chairman of the board of managers could appoint the county election commission rather than the current combination of commissioners, managers, and clerks. In addition, the measure eases provisions for the calling

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of special meetings of party clubs, provides for published notification of municipal elections, designates filing requirements for candidates, deletes the requirement that county committees provide voting booths in primaries, and authorizes poll watchers for nonpartisan and write-in candidates, as well as providing requirements for poll watcher badges. **S. 1213** provides for a referendum to amend the State Constitution by determining whether the provision that a person can vote only in the precinct of his residence should be deleted. The referendum also would ask whether to delete the requirement that a registered voter who has moved within thirty days prior to the election may vote in the precinct of his previous residence. **S. 1216** would bring the state into compliance with the "Motor Voter" law. The proposed legislation enacts provisions for multiple site voter registration, and specifies designated registration agencies. A fiscal impact of nearly \$1 million dollars annually is expected. **H. 3131** repeals the requirement that personal service contracts must be registered within ten days at the Office of Mesne Conveyance or the Clerk of Court. These required indices currently are not being kept. **H. 3532** provides roller skating rinks with immunity from liability for injuries due to the inherent risk of the sport. In order to bring suit, a person would have to prove negligence. **H. 4159**, regarding Bingo, restricts profits from being distributed to charitable organizations outside of the state. **H. 4354** provides that a reserve police officer with a least two hundred forty (240) hours of logged service would not have to be accompanied at all times by the officer to whom he is assigned. Instead, he could stay in proximate contact, such as by radio.

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COMMITTEE ACTION

AGRICULTURE, NATURAL RESOURCES, AND ENVIRONMENTAL AFFAIRS

Committee members reported favorably on four bills and two regulations last week.

S. 614 extends the laws which concern gathering oysters to include clams. The measure provides that one-half bushel of clams may be gathered per day. In addition, the bill revises requirements for critical areas designated as public shellfish grounds. **H. 4480** authorizes the running of coyotes with dogs for training purposes when this is done in a private, enclosed fox-hunting-dog-training facility. **H. 4570** adds a member from the Auto Recyclers and Dismantlers Association to the Waste Tire Grant Committee. **H. 4608** authorizes a joint agency to contract with another joint agency in order to provide collection, transfer, and/or disposal of solid waste. The bill also provides that governing bodies must contract with the joint agencies for these services.

The Committee voted to adopt **H. 4780**. This joint resolution regards a State Crop Pest Commission regulation designating the tropical soda apple as a noxious weed which should be eradicated in the state. Members also approved a Department of Health and Environmental Control (DHEC) regulation which amends criteria for spending revenue from the State Underground Petroleum Environmental Response Bank (SUPERB) Fund. The regulation also provides for the ranking for cleanup of these underground tanks according to site specifications.

EDUCATION AND PUBLIC WORKS

The full Education and Public Works Committee gave favorable reports to four bills. **H. 3987** changes the fee structure for farm vehicle licenses so that it is based on gross vehicle weight rather than the vehicle's empty weight. **H. 4586** restructures the Department of Transportation, converting certain position to "at will" status and emphasizing outsourcing and private/public partnerships. **H. 4430**, The School Crime Report Act, as amended, assigns the Attorney General's Office certain key coordinating functions in the prosecution of school-related crimes. **H. 3883**, as amended, requires those who have newly purchased or transferred a vehicle into the state to affix a sign to their vehicle while awaiting a license tag. In addition, the Committee voted to recommend approval for two regulations: **H. 4793**, a joint resolution to approve **R. 1897**, a regulation submitted by the Department of Transportation to provide building specifications for bus shelters; and, **S. 627**, a joint resolution to approve **R. 1765**, a regulation submitted by the Board of Education establishing minimum building specifications for relocatable classrooms. The Committee also voted to table **H. 4061**, a bill which raises the minimum age at which one may obtain a driver's permit and license.

The Postsecondary Education Subcommittee made technical amendments to **H. 4637**, the Higher Education Quality and Accountability Act which enhances the ability of the Commission on Higher Education to coordinate and reduce duplication in programs offered by the state's institutions of higher learning. Levels of funding for these institutions would be conditional upon meeting certain critical success factors and performance indicators.

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JUDICIARY

Committee members reported favorably on four bills last week. **S. 1101** provides that members of voter registration boards, and election and registration commissions must complete training and be certified by the State Election Commission within eighteen months after election. The bill also changes appointment procedures for poll managers and clerks. **H. 3812** prohibits state and local governments from using race, sex, color, ethnicity, or national origin as a criterion for discriminating against or for granting preferential treatment to an individual or group when hiring. **H. 4382**, concerning the required statement used in orders for protection from domestic abuse, is a technical change reflecting the fine increase from two hundred dollars (\$200) to five hundred dollars (\$500). **H. 4445** provides that contested cases under the Administrative Procedures Act shall be governed by procedural rules of the Administrative Law Judge Division. The standard of proof shall be the preponderance of evidence, except in professional licensing cases where the standard shall be clear and convincing evidence. Among other provisions included in the measure is one which states that all cases shall be assigned by the Chief Judge, rather than only the contested cases.

LABOR, COMMERCE, AND INDUSTRY

The Labor, Commerce and Industry Committee reported favorably on three bills. **H. 4666** allows the South Carolina Research Authority to : (1) refer to itself by the trade name "SCRA," and (2) form not-for-profit corporations. **H. 4716** subjects foreign beer brewers and their distributors to the same laws which govern agreements between their domestic counterparts. The amended **H. 4675**, "The South Carolina Banking and Branching Efficiency Act of 1996." (adopted as committee bill **H. 4790**) allows state banks to take part in branching, merging, and cooperative agreements across state lines.

The Labor and Commerce Subcommittee amended then gave a favorable report to **H. 4694**, a bill which responds to federal restructuring of the telecommunications industry, taking steps to ensure that basic local residential services are provided in all areas at reasonable rates in the deregulated marketplace. Among other things, the bill establishes the universal service fund into which all telecommunications companies will contribute based upon their intrastate gross revenues and out of which funds shall be distributed to carriers where the cost of providing basic local exchange phone services exceeds the maximum price permitted. Under **H. 4694**, the Public Service Commission may grant a certificate to operate a telephone company to applicants proposing to furnish local telephone services in the territory of an incumbent Local Exchange Carrier. The PSC would also determine which long-distance service markets demonstrate competition, capping prices or otherwise regulating rates in areas judged noncompetitive. An amendment allows the PSC to intervene and regulate in areas where competition does exist, but not to an extent which protects the public interest. The Subcommittee also amended and gave a favorable report to **H. 4627**, a measure recommended by the Department of Labor, Licensing and Regulation which brings all the occupational and professional boards under the administration of the LLR.

The Property and Casualty Insurance Subcommittee amended and reported favorably on **S. 991**, containing revisions to the "Omnibus Insurance Fraud and Reporting Act" requested by the Insurance Fraud Division of the Attorney General's Office. The bill includes all state agencies

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in the list of authorized agencies which are: (1) required to report any knowledge or suspicion of insurance fraud, and (2) immune from liability from making such reports. An amendment also allows insurers to officially designate employees in charge of investigating insurance fraud who would be granted immunity, under the bill, for sharing information with the National Insurance Crime Bureau, the National Association of Insurance Commissioners, or other designated individuals employed by their own or another insurer.

MEDICAL, MILITARY, PUBLIC AND MUNICIPAL AFFAIRS

The Medical, Military, Public and Municipal Affairs Committee held no committee meetings last week aside from the public hearing held to discuss working conditions for correctional officers.

WAYS AND MEANS

Committee members reported favorably on nine measures last week. **S. 846** provides for the issuance of state Olympic license tags. These tags are estimated to bring in \$23,000 per thousand plates, which would be divided equally between the United States Olympic Committee and the South Carolina Amateur Sports Program. **S. 1081**, regarding state health and dental benefits to non-state entities, authorizes a state agency or department to withhold funds payable to a delinquent entity, and instead remit that money to the Office of Insurance Services in payment of the delinquency. Representatives amended the bill to provide that retired legislators with at least eight years of service may pay premiums at the employee rate rather than the full rate. Another state employee health and dental benefit bill, **S. 1082**, authorizes the Budget and Control Board to establish administrative procedures similar to those used by the federal government when resolving claims. The procedures would not require an adversary trial, and would be subject to a narrow scope of appellate review by the court. This proposal is designed to save the state money by reducing the cost of litigation. **S. 1148** authorizes the Budget and Control Board to cancel property insurance of an agency or local government when premium payments to the Insurance Reserve Fund remain delinquent sixty days after the invoice date. The bill also authorizes the State Treasurer to withhold delinquent amounts from subsequent revenue distributions. In addition, the delinquency could be written off as a bad debt after one year. **H. 4518** provides for a referendum to amend the State Constitution. Currently state and local governments invest in only fixed income securities such as savings accounts. They were prohibited from investing in stocks after severe losses during the last century. While the State Retirement Fund and the State Police Officers Retirement System are currently solvent, both the State Treasurer and an independent actuarial report indicate that increasing membership will strain these pensions in the future. This joint resolution allows voters to determine whether the state should broaden its investment portfolio to include stocks, which are traditionally more volatile and produce greater returns. **H. 4676**, regarding Bingo laws, defines a "nonprofit organization" as one which is organized and operates exclusively for charitable, religious, or fraternal purposes. **H. 4681** provides that a South Carolina Business Development Corporation and its securities are exempt from corporate license taxes and fees. The measure also expands the sources from which such a corporation may borrow money,

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and deletes the requirement that such loans must bear interest at a particular rate. **H. 4774** provides an optional method of valuing Homeowners' Association Property for tax purposes, and amends the code to define such property. The bill also requires owners of real property or their agents to make a written application to the county assessor to qualify for this provision.

Members voted to recommit **H.4336** to the Sales and Income Tax Subcommittee. The proposed legislation provides that employees may have up to eight hours of paid leave annually in order to attend elementary and secondary school conferences, or activities during work hours. The measure also provides that an employee, upon permission from his employer, may be granted annually up to twelve hours of paid leave for volunteer teaching activities in such schools. In return, employers would receive state income or premium tax credits. This bill is estimated to reduce General Fund corporate income and insurance premium taxes by about \$5.8 million dollars annually.

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BILLS INTRODUCED

AGRICULTURE, NATURAL RESOURCES, AND ENVIRONMENTAL AFFAIRS

H. 4785 VETERINARIANS Rep. Wells

The measure provides a uniform framework for the organization and operation of professional and occupational boards.

H. 4804 SHELLFISH PLANTING Rep. Keyserling

The bill reduces the number of shellfish bushels which permittees must plant annually from one hundred twenty-five to fifty per acre.

EDUCATION AND PUBLIC WORKS

H. 4760 SUSPENSION OF TRUANT'S DRIVER'S LICENSE Rep. Easterday

This bill directs the Department of Public Safety to suspend the driver's license for any child under the age of eighteen who has not graduated from high school (or attained GED) and who is not enrolled in school. Exceptions exist for absentees involved in district or Family Court programs.

H. 4762 UNMARKED CARS FOR HIGHWAY PATROL PROHIBITED Rep. Williams

This bill requires all highway patrol vehicles used in the enforcement of traffic laws and all vehicles used by the state police in enforcing commercial motor carrier laws be conspicuously marked with identification and appropriate colored lights.

H. 4794 SPECIAL LICENSE PLATE FOR SPOUSE OF RETIRED MILITARY Rep. Williams

This bill allows the special license plate for a retired member of the U.S. Armed Forces to be used by his/her spouse, as well.

H. 4800 TEACHER EDUCATION AND EVALUATION Rep. Jaskwhich

Among other things, this bill requires the Department of Education to select or develop tests measuring basic skills in reading, writing, and mathematics which students will have to pass to take part in a college's or university's teacher training program. The Department of Education is charged with formulating a loan program for encouraging the state's talented students to opt for a career in teaching in this state. One seeking employment as a teacher must hold a license and submit to a criminal background check before proceeding through a provisional, annual, or continuing contract level of employment. As one progresses through the employment levels, intensity of scrutiny decreases and procedural rights relating to dismissal increase.

H. 4806 SPECIAL LICENSE PLATES FOR SHRINERS Rep. Govan

This bill establishes special license plates for members of the Shriners.

H. 4807 ALTERNATIVE SCHOOLS Rep. Anderson

This bill requires school districts to develop alternative schools and requires a child expelled for more than one week to be placed in a private or alternative school.

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JUDICIARY

H. 4759 PORNOGRAPHIC MATERIALS Rep. Easterday

Under this bill, pornographic material may be sent through the mail or by private carrier in this state only upon written consent of the recipient. Also, the envelope or package must contain certain legible disclosures. Violations of this provision would be considered a misdemeanor punishable by a fine of up to one thousand (\$1,000) dollars, a sentence of not more than one year, or both.

H. 4802 JUDICIAL ASSIGNMENTS Rep. Harrison

The measure provides that retired family court judges may be assigned by the Chief Justice to hear cases in any court.

H. 4803 REMOVAL OF JUDGES Rep. Harrison

The bill provides for removal of judges in cases of mental or physical incapacity, misconduct, breach of any ethical obligation, habitual intemperance, or persistent failure to perform the duties of the office.

H. 4805 APPEALS REVISIONS Rep. Harrison

The proposed legislation is an extensive revision of appeals laws.

LABOR, COMMERCE, AND INDUSTRY

H. 4778 CHARGES ON MORTGAGE LOANS Rep. Cain

This bill permits an origination fee on non-purchase money first and second mortgage real estate loans.

H. 4781 PROFESSIONAL AND OCCUPATIONAL BOARDS Rep. Bailey

This bill revises the code so as to organize professional and occupational boards according to a uniform framework.

H. 4782 MORTGAGE LOAN BROKERS Rep. Easterday

This bill specifies what fees a mortgage loan broker may charge and when he must make use of a practicing attorney and title insurance company. A mortgage loan broker is allowed to open satellite offices, upon official notification and payment of an initial fee. The bill shields from civil liability an arranger of credit when unaware of violations of the Federal Truth in Lending Act.

H. 4783 COMPLIANCE REVIEWS FOR MORTGAGE LOAN BROKERS Rep. Easterday

This bill provides that an annual compliance review of a mortgage loan broker shall not be conducted unless a legitimate, verifiable complaint is filed with the Department of Consumer Affairs.

H. 4795 ATTORNEY AND INSURER PREFERENCES IN MORTGAGE LOANS Rep. Gamble

This bill specifies that the attorney's preference and the insurance agent's preference of the borrower are independent of one another with regard to mortgage loans for personal, family, or

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household purposes. Penalties are provided for creditors who mishandle information about attorney's or insurance agent's preference.

MEDICAL, MILITARY, PUBLIC AND MUNICIPAL AFFAIRS

H. 4764 SPEECH/LANGUAGE PATHOLOGISTS AND AUDIOLOGISTS Rep. Hallman

This bill places the board for licensure of speech/language pathologists and audiologists under a uniform framework for professional and occupational boards.

H. 4765 CONTROLLED SUBSTANCES Rep. Wilder

The bill revises which substances comprise Schedule IV Controlled Substances. Maximum prescriptions allowed for certain controlled substances are increased in length and dosage unit. With regard to methadone, in particular, the bill authorizes its dispensation for analgesia and removes all code references to dispensation of methadone in programs licensed by the Department of Mental Health and approved by the Department of Alcohol and Other Drug Abuse Services.

WAYS AND MEANS

H. 4774 HOMEOWNERS' ASSOCIATION PROPERTY EVALUATION Rep. Fulmer

Concerning property taxes, this bill defines Homeowners' Association Property and provides an optional method of valuing such property for tax purposes. The measure also requires that owners of real property or their agents must make a written application to the county assessor to qualify for this provision..

H. 4777 STATE RETIREMENT SYSTEM Rep. J. Hines

This bill provides that state employees may retire with twenty-five years of service instead of the current thirty years, without a reduction in benefits. The measure also requires the Department of Education to develop and enforce a minimum salary schedule for teachers which would be phased in.

H. 4796 VEHICLE PROPERTY TAX Rep. Fulmer

Under the measure, owners of semitrailers could pay a onetime fee of eighty-seven dollars (\$87) in lieu of property taxes and registration. The bill also provides that the Department of Public Safety assess the value of motor carriers subject to property tax.

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FOOTNOTE

The Legislative Update is now on-line! Members and staff who are on the network may access documents by pressing "List Files (F5)," then typing "H:\UPDATE" and pressing "enter." All of the Legislative Updates will be listed by week. Using up/down arrows, choose the Update corresponding to the week you need and press "enter."

If you need or prefer to access the Legislative Update through the World Wide Web, visit the South Carolina General Assembly Home Page. Click on the "Quick-Find Guide" on the first page. Click on "Reports" on the next page. This will list all of the Legislative Updates by week. Click on the week you need.

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S. 1148	10	H. 4675	9
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S. 1185	6	H. 4681	10
S. 1213	7	H. 4694	9
S. 1216	7	H. 4694	9
S. 1285	6	H. 4716	9
H. 3021	4	H. 4750	4
H. 3029	2	H. 4751	4
H. 3131	7	H. 4752	4
H. 3194	2	H. 4755	4
H. 3271	2	H. 4759	13
H. 3300	2	H. 4760	12
H. 3532	7	H. 4762	12
H. 3812	9	H. 4763	4
H. 3883	8	H. 4764	14
H. 3883	3	H. 4765	14
H. 3987	8	H. 4774	11
H. 4020	3	H. 4774	14
H. 4061	8	H. 4777	14
H. 4159	7	H. 4778	13
H. 4313	3	H. 4780	8

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H. 4780	4
H. 4781	13
H. 4782	13
H. 4783	13
H. 4785	12
H. 4790	9
H. 4793	8
H. 4794	12
H. 4795	13
H. 4796	14
H. 4800	.....	12
H. 4802	.....	13
H. 4803	.....	13
H. 4804	.....	12
H. 4805	.....	13
H. 4806	.....	12
H. 4807	.....	12